

Helping Children by Helping Parents: A Problem-Solving Approach to Child Support

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New York State Courts Model

Unique collaboration

- NYS Unified Court System
- Center for Court Innovation

Work together to design, implement, and evaluate new court models, training programs, conferences, publications, etc.

Center for Court Innovation

What is the Center for Court Innovation?

- Non-profit think tank focused on justice system reform
- Works to enhance the performance of courts and those whose work intersects with courts (prosecutors, probation officers, and others)
- Field tests new ideas using real-life demonstration projects
- Designs, evaluates, and replicates innovative programs throughout the world

Problem-Solving Courts

What are problem-solving courts?

- New court models that:
 - Seek to do more than just process cases
 - Deal with the underlying problems that bring people to court
 - Emphasize collaboration with community and building on community strengths
 - Use alternative responses (treatment, enhanced court monitoring)

Problem-Solving Courts in New York State

Center for Court Innovation Collaborations

- Drug treatment courts (180)
- Domestic violence courts (30)
- Integrated domestic violence courts (37)
- Community courts (8)
- Mental health courts (12)
- Sex offense courts (7)

Problem-Solving Courts and Child Support

In 2004, the Conference of Chief Justices
and the Conference of State Court
Administrators passed Resolution 22

- *Supports the incorporation of problem-solving court principles and methods into all courts*

Problem-Solving Courts and Child Support

Child Support Cases

- Child support cases are perfect for problem-solving methods:
 - Underlying problems lead to non-payment (unemployment, mental health, substance abuse, lack of education, fathering/parenting skills)
 - Community-based services to address problems
 - Court involvement to supervise services and ensure results

Child Support in New York

Support Magistrates

- Judicial officers appointed by the courts
- Hear new child support petitions, petitions for modification, and violation petitions
- If jail is recommended, the case must be transferred to a Family Court Judge

Child Support in New York

Child Support Process

- Upon initial petition, support magistrate may make a temporary order of support
- After a hearing, the support magistrate may issue a final order of support
- Payments made to custodial parent or Support Collection Unit

Child Support in New York

Non-Payment and Violations

- **Nonpayment**
 - Violation petition filed
 - Usually requires 3 months of non-payment
- **Violation hearing**
 - Non-willful violation
 - Willful violation

Child Support in New York

Non-Willful Violation

- Suspension of license (driver, professional, and recreational)
- Money judgment
- Order to work

Child Support in New York

Willful Violation

- All of the non-willful penalties
- Probation with appropriate conditions
- Rehabilitation programs (employment, substance abuse, education)
- Jail (up to 6 months)

Child Support in Onondaga County (Syracuse)

Scope of the problem:

- 25,000 non-custodial parents with outstanding child support orders
- 69% unemployed or underemployed
- Geographically concentrated in economically depressed areas (20% unemployment, 61% poverty) – little opportunity
- 2006 delinquencies = \$12.9 million

Syracuse Parent Support Program

Collaboration with existing program: Parent Success Initiative (PSI)

- Employment/parenting/legal services program
- In operation on-and-off since 1999
- Unique collaboration: non-profit agencies, Dept. of Social Services, Legal aid organizations
- Over 2,400 clients served
- Over \$2 million in new child support payments

Syracuse Parent Support Program

Collaboration with Parent Success Initiative

- Traditionally a VOLUNTARY program
 - Word of mouth
 - Referrals from partner agencies
 - TV/radio advertisement
- Occasional referrals from the Family Court, but no formal relationship or procedures for court mandates

Syracuse Parent Support Program

Collaboration with Parent Success Initiative

- PROBLEM: How to increase enrollment and improve outcomes?
- SOLUTION: Use a problem-solving courts approach:
 - Court-ordered participation
 - Collaboration with community-based services (PSI)
 - Court supervision of services
 - Outcome monitoring
 - Review hearings/accountability

Syracuse Parent Support Program

Project Partners

- Parent Success Initiative (PSI)
- New York State Office of Temporary and Disability Assistance (funds PSI)
- New York State Office of Court Administration
- Onondaga County Family Court
- Center for Court Innovation
- Family Law & Social Policy Center

Syracuse Parent Support Program

Program Operation

- New child support petition filed
- Respondent appears in court
- Support Magistrate conducts eligibility screening
- Support Magistrate orders appropriate respondents into the program
- Support Magistrate sets review hearing (4-6 weeks)

Syracuse Parent Support Program

Program Operation (cont.)

- Respondent takes copy of court order to program coordinator's office
- Program coordinator (and/or law student intern) conducts more detailed screening to confirm respondent's eligibility
- Program coordinator:
 - explains program and interviews respondent
 - schedules intake appointment at PSI

Syracuse Parent Support Program

Program Operation (cont.)

- Program coordinator monitors respondent's participation in PSI
- Program coordinator refers respondent to other supportive services as needed
- Program coordinator provides status reports to Support Magistrate
- Respondent appears in court for review hearing

Syracuse Parent Support Program

Compliance

- Support Magistrate assesses the respondent's participation in the program
- Non-compliance can result in:
 - Imputed income
- Continued non-payment of child support will result in:
 - Violation finding

Syracuse Parent Support Program

Violation Cases

- Upon violation, Support Magistrate can re-order the respondent into the program
- Non-compliance at this stage can result in:
 - Sanctions (e.g., loss of license)
 - Increased services (including drug, mental health, etc.)
 - Increased court appearances
 - Probation
 - Jail

Syracuse Parent Support Program

Other Services

- Address the whole problem (entire family, wider community)
- Walk-in services for custodial parents and non-qualifying NCPs
- Outreach in default cases
- Referrals to supportive services (food stamps, public assistance, housing, mental health services, drug treatment, etc.)

Syracuse Parent Support Program

Project Goals

- 200 active referrals in the 1st year
- Increased compliance with PSI program
- Increased job placement and retention
- Increased child support payments
- Improved family relationships

Syracuse Parent Support Program

Results to date:

- Program began operating May 1, 2008
- During first 7 months:
 - Over 200 eligible referrals
 - 107 cases currently active and open
 - 61 job placements
 - Currently gathering data re: job retention, increased support payments, etc.
 - Outcomes expected to improve as court processes violation petitions

Syracuse Parent Support Program

Lessons Learned

- Community-based service providers welcomed collaboration with courts
- Courts welcomed collaboration with service providers
- Program started with relatively little funding
 - 1 new court position (could be performed by existing staff)
 - Low-cost interns from local university
- Basic model easy to copy

NYS OTDA Fatherhood Initiative

- Funded 5 pilot programs in NYS (2 in NYC, 1 in Syracuse, Buffalo, and Chautauqua)
- PSI modeled from successful federal program under Welfare to Work Funding 1999-2004
- Began in 2006
- Program focuses on child support payments and parenting education
- To date, pilot program has served 2,724 NCPs

NYS Fatherhood Initiative Participant Demographics

- 39% have no HS diploma or GED
- 61% have an arrest record
- 84% are unemployed at program enrollment (roughly 50% report previous under the table employment)
- 92% are male
- 74% are single, never married
- 60% are African American

NYS Fatherhood Initiative/ PSI Services

- Family Life Skills Education
- Legal Assistance (child support, visitation, custody, traffic, consumer and financial issues)
- Pre- and Post-Employment Services
- Participant Supports (up to \$4,000 to purchase training and work-related items and services)
- Case Management Services
- Civic restoration services

PSI Performance Outcomes

<u>Target</u>	<u>Predicted</u>	<u>Actual (12/30/08)</u>
Recruited	Not Predicted	662
Intake / Assigned to Site (Persons Served)	300	476
Number of Unsubsidized Placements	150	159 (51%)
Completed parenting education	260	230
LAP Referrals	Not predicted	187
Average Wage at Placement	Not predicted	\$8.41
Court Mandated Referrals PSP	200 annually	197

Lessons Learned

- Long-term case management services essential
- Partnership with courts and local child support enforcement offices needed
- Use of centralized project office to collect data and create and implement policies
- Outreach
- Legal Services
- Training staff on Job Development

State and Community Impact

- Over \$2 million dollars of new child support payments (programs could pay for themselves over time)
- Increased involvement by non-custodial fathers: enhanced parenting skills
- Case Management Model encourages advancement in employment to move participants towards a living wage
- New child support payments impact custodial parent's financial well-being